

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Kendrick De'Shawn Floyd

Write the full name of each plaintiff.

\_\_\_\_ CV \_\_\_\_  
(Include case number if one has been assigned)

-against-

Honorable Judge Mark J Nelson.

**COMPLAINT**

Do you want a jury trial?  
☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

RECEIVED  
SDNY PRO SE OFFICE  
2020 DEC -9 PM 12:45

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

**I. BASIS FOR JURISDICTION**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ **Federal Question**

☐ **Diversity of Citizenship**

**A. If you checked Federal Question**

Which of your federal constitutional or federal statutory rights have been violated?

To stand for a trial at the 595 Superior  
Court Jersey City N.J. 07306, Perjury,  
and False Indictment. Also Grand Juror abuse.

**B. If you checked Diversity of Citizenship****1. Citizenship of the parties**

Of what State is each party a citizen?

The plaintiff, \_\_\_\_\_, is a citizen of the State of \_\_\_\_\_  
 (Plaintiff's name)

\_\_\_\_\_  
 (State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of \_\_\_\_\_

\_\_\_\_\_  
 If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, \_\_\_\_\_, is a citizen of the State of \_\_\_\_\_  
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of \_\_\_\_\_.

If the defendant is a corporation:

The defendant, \_\_\_\_\_, is incorporated under the laws of the State of \_\_\_\_\_

and has its principal place of business in the State of \_\_\_\_\_

or is incorporated under the laws of (foreign state) \_\_\_\_\_

and has its principal place of business in \_\_\_\_\_.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

## II. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Kendrick .D Floyd  
First Name Middle Initial Last Name

111 Bidwell Ave Jersey City  
Street Address

Hudson County, Jersey City N.J. 07305  
County, City State Zip Code

201-667-6351 Floyd Kendrick235@gmail.com  
Telephone Number Email Address (if available)

**B. Defendant Information**

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:	<div style="display: flex; justify-content: space-between;"> <div>Mark</div> <div>Nelson</div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>First Name</div> <div>Last Name</div> </div> <div>Judge Court room 811,</div> <div>Current Job Title (or other identifying information)</div> <div>595 Newark Ave Room: 811</div> <div>Current Work Address (or other address where defendant may be served)</div> <div style="display: flex; justify-content: space-between;"> <div>595 Newark Ave Hudson, J.C. N.J. 07306</div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>County, City</div> <div>State</div> <div>Zip Code</div> </div>
Defendant 2:	<div style="display: flex; justify-content: space-between;"> <div></div> <div></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>First Name</div> <div>Last Name</div> </div> <div></div> <div>Current Job Title (or other identifying information)</div> <div></div> <div>Current Work Address (or other address where defendant may be served)</div> <div></div> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>County, City</div> <div>State</div> <div>Zip Code</div> </div>
Defendant 3:	<div style="display: flex; justify-content: space-between;"> <div></div> <div></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>First Name</div> <div>Last Name</div> </div> <div></div> <div>Current Job Title (or other identifying information)</div> <div></div> <div>Current Work Address (or other address where defendant may be served)</div> <div></div> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>County, City</div> <div>State</div> <div>Zip Code</div> </div>

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

### III. STATEMENT OF CLAIM

Place(s) of occurrence:

Date(s) of occurrence:

#### FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

*2 different case numbers Summons - Indictment  
sheet case number dont match the same charge  
and also denied of trial after 30 day Court  
ordered competent hearing.*

**INJURIES:**

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

**IV. RELIEF**

State briefly what money damages or other relief you want the court to order.

**V. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

12/09/2020  
Dated

X Kendrick D Floyd X  
Plaintiff's Signature

Kendrick D  
First Name

Floyd  
Middle Initial

Floyd  
Last Name

141 Bidwell Ave  
Street Address

Hudson County, Jersey City N.J. 07305  
County, City State Zip Code

201-667-6351  
Telephone Number

Floyd Kendrick 235@gmail.com  
Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

111 Bidwel Ave  
J.C.N.J. # Z.P. 07305,  
Letter Address.

SUPERIOR COURT OF NEW JERSEY  
HUDSON COUNTY COURTHOUSE  
JERSEY CITY, NJ 073060000  
CRIMINAL DIVISION

DATE: 10/03/2019

CASE NO. 19002473  
INDICTMENT NO. 19-10-01016-I  
DATE FILED: 10/01/2019

STATE VS. KENDRICK FLOYD  
CHARGES:  
2C:35-10A(1)  
POSSE CDS/ANALOG - SCHD I II III IV

DEFENDANT:  
KENDRICK FLOYD  
757 GARFIELD AVENUE

JERSEY CITY NJ 073054322

FOR THE HONORABLE JUDGE MARK J NELSON.

10/03/2019 TIME: 08:15 A.M.  
HUDSON COUNTY COURTHOUSE

ROOM: 211

RECEIVED BY: [illegible] 10/03/2019 08:15 A.M. 073060000

YOUR PRESENCE IN COURT FOR A POST-INDICTMENT ARRESTMENT IS  
REQUIRED. IF YOU ARE NOT PRESENT, YOUR ATTORNEY MUST APPEAR IN COURT  
AND ADVISE THE COURT OF YOUR STATUS. IF YOU ARE NOT PRESENT AND  
YOUR ATTORNEY DOES NOT APPEAR, THE COURT MAY ORDER YOUR ARREST  
AND DETENTION. IF YOU HAVE CHANGED YOUR ADDRESS, YOU MUST  
ADVISE THE COURT IMMEDIATELY. IF YOU HAVE ANY QUESTIONS, CALL  
THE CLERK OF COURT AT (201) 875-6000.



INVOLUNTARY MEDICATION  
ADMINISTRATION REPORT (IMAR)

Section I: (To be completed by Prescriber)

Patient Name: Floyd, Kendrick

Number: 4750219

Date: 02/05/2020

Diagnosis: Schizophrenia; Substance Use Disorder; Antisocial Personality Disorder

Rationale for recommending medication without informed consent including symptoms that indicate that the patient is or would be dangerous to self, others, or property without treatment: ☐ See addendum on last page of IMAR form

32 year old AA male, readmitted to TPH on a 30day Court ordered to evaluate his mental capacity to stand trial. Although the full report is not yet available, he was found not competent to stand trial. He has a history of being noncompliant with his psychotropic medications. He minimizes his mental illness and refused to sign consent to be medicated. He has a history of aggressive and violent behaviors. He also has a history of bizarre delusions with ideas of reference and at times thoughts to harm others.

But the impetus for this request for IMAR has to do with the recent sexually inappropriate behavior that he has been engaged in on the Unit. On 2/2/20 at 11:35PM he was found in room E215 engaged in sexual intercourse with a female peer. This female peer had just completed treatment for syphilis. Today again, the Treatment Team met with patient to discuss his behavior on the Unit. Staff have reported that patient has been sexually harassing female patients on the Unit. It had been reported that he exposed himself. The Treatment Team reminded the patient about the rules regarding sexual contact with female peer. Patient became very angry and agitated stating: "I got my dick sucked last night" and described this happening multiple times on the Unit since his admission on Drake East 2. He described exchanging items with female peers for sexual favors. A female peer came to the Team to report that she feels harassed by the patient and described an incident that happened last night at 10:30PM where she felt threatened to perform sexual act on the patient. The Team considers this patient a danger to himself and others. The Team recommends sending this patient to an all male Unit when a bed becomes available. But until then the Team strongly recommends that this patient be medicated against his will.

Less Restrictive treatments or interventions considered or attempted before involuntary medication was considered:

☒ See addendum \_\_\_\_\_

(attach copies of Treatment Team Notes as appropriate to document consideration or implementation of treatment modalities)

Informed consent of the patient was solicited by the signer on 02/05/2020 at 10:00 ☒ a.m. ☐ p.m.

Medication Fact Sheets were explained to the patient on 02/05/2020 at 10:00 ☒ a.m. ☐ p.m.

Explain attempts to gain informed consent, including dates and content of efforts by any other staff: ☐ See Addendum

Side effects of medications were discussed but patient did vehemently refused to be medicated.

Objections expressed by the patient, if any: Patient does not believe that he has a mental illness. His main focus are on his legal charges.

Does the patient have a Psychiatric Advance Directive (PAD)? ☐ Yes ☒ No If Yes, explain why the PAD was insufficient to resolve the patient's dangerousness:

Recommended psychotropic medications and co-medications for side effects:

10-20mg Tab PO BID

Haldol Conc. 10mg PO BID. If refuses give Haldol 10mg IM BID for psychosis.

Dosage range: \_\_\_\_\_ q \_\_\_\_\_

Dosage range: \_\_\_\_\_ q \_\_\_\_\_

Cogentin 2mg Tab PO BID prn for EPS

Dosage range: 2mg q 12 hrs

1 Dosage range: \_\_\_\_\_ q \_\_\_\_\_

Testing that will be required:

CBC with diff. weekly at on 02/19/2020 and 02/26/2020

at \_\_\_\_\_

**COMPLAINT - SUMMONS**

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. KENDRICK FLOYD	
0906	S	2019	002122		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
JERSEY CITY MUNICIPAL COURT 365 SUMMIT AVENUE JERSEY CITY NJ 07306-0000 201-209-6700 COUNTY OF: HUDSON				ADDRESS: 111 BIDWELL AVE  JERSEY CITY NJ 07305-0000	
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 19-008111		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 09/08/1987 DRIVER'S LIC. # DL STATE: SOCIAL SECURITY #: SBI #: 307272D TELEPHONE #: ( ) LIVESCAN PCN #: 090608003111	
COMPLAINANT NAME: MICHAEL A MARTUCCI 365 SUMMIT AVE. #116 ATTN WARRANTS JERSEY CITY NJ 07306					

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 04/14/2019 in JERSEY CITY, HUDSON County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, KENDRICK FLOYD DID KNOWINGLY AND PURPOSELY POSSESS A CONTROLLED DANGEROUS SUBSTANCE SPECIFICALLY BY HAVING IN HIS POSSESSION ONE (1) CLEAR VIAL WITH BLUE TOP CONTAINING SUSPECTED CDS COCAINE IN VIOLATION N.J.S.A. 2C:35-10A(1).

in violation of:

Original Charge	1) 2C:35-10A(1)	2)	3)
Amended Charge			

**CERTIFICATION:**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: MICHAEL A MARTUCCI Date: 04/14/2019

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**SUMMONS**

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: HUDSON

at the following address: HUDSON COUNTY COURT

ADMINISTRATION BUILDING 595 NEWARK AVENUE JERSEY CITY NJ 07306-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: 04/14/2019 Appearance Date: 04/30/2019 Time: 01:30PM Phone: 201-795-6000

Signature of Person Issuing Summons: MICHAEL A MARTUCCI Date: 04/14/2019

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets  
or Other Complaints

☐ Serious Personal Injury/ Death  
Involved

Special conditions of release:

- ☐ No phone, mail or other personal contact w/victim  
☐ No possession firearms/weapons  
☐ Other (specify):

**ORIGINAL**

P.O. M. Saheed recovered \$83 dollars from his right front pant pocket in various denominations which were seized as suspected CDS proceeds. P.O. J. Faccone recovered (5) glass vials with blue tops containing suspected CDS Cocaine tossed by Derrick Pelzer from the vacant lot located 111 MLK Dr. Sergeant Dowell recovered (20) glassine bags stamped "Passion in red ink containing suspected CDS Heroin and (1) brown hand rolled cigar containing green vegetation of suspected CDS Marijuana from MLK Drive and Armstrong which were tossed by Derrick Pelzer at the start of the foot pursuit.

P.O. M. Martucci remained at MLK Drive and Armstrong Ave with Jamal Coar and John Clay. P.O. M. Martucci observed Jamal Coar trying to reach his left pant pocket several times. He was told to remove his hands out of his pockets and when he did Sergeant Dowell observed multiple vials containing CDS cocaine in his clenched left hand. Sergeant Dowell recovered (3) glass vials with black top and (2) glass vials with purple tops containing suspected CDS Cocaine. Jamal Coar was placed under arrest without incident. Search incident to arrest Sergeant Dowell recovered \$150 dollars from right front pant pocket which were seized as suspected CDS sales proceeds. John Clay was also patted down for weapons he spontaneously uttered "I only have one bag for personal use". Mr. Clay was placed under arrest and recovered was (1) glassine bag stamped "passion" in red ink containing suspected CDS Heroin. John Clay was transported by South patrol unit S202 P.O. A. Soler. P.O. A. Soler checked the back seat of the vehicle before transporting John Clay. Upon arrival to the Street Crime base and while P.O. A. Soler was removing John Clay from his patrol vehicle he observed and recovered (12) glassine bags stamped "Passion" in red ink containing suspected CDS Heroin. He spontaneously uttered again "that's for my personal use".

All CDS was placed into evidence bag #PM0018183 and marked accordingly.

Derrick Pelzer, Jamal Coar and John Clay were within 1000 feet of P.S. #34 located at 1830 JFK Blvd.

Derrick Pelzer, Jamal Coar and John Clay were within 500 feet of Veneter Watson Park located at Stevens Ave and MLK Drive.

Asst Prosecutor Stephanie Elson was notified and informed of the arrests, and approved putting Kendrick Floyd and Patricia Grooms on a summons.

## REPORTING PARTY/COMPLAINANT-1

REPORTING PARTY/COMPLAINANT-1 (ORGANIZATION)

R-1 JCPD

ORGANIZATION TYPE

Government

## OFFENSE-1

OFFENSE CODE

2C:35-10.a(1) | Possession of CDS

OFFENSE START DATE

Apr 14, 2019 11:07

OFFENSE COMPLETION

☒ COMPLETED  
☐ ATTEMPTED

SUSPECTED HATE CRIME

☐ YES ☒ NO

CRIMINAL ACTIVITIES / ANIMAL CRUELTY

Possession/ Conceal, Distribute/ Selling

MODUS OPERANDI

Solicited/Offered - Drugs

## OFFENSE LOCATION

CITY

JERSEY CITY

STATE

NJ

ZIP

07305

COUNTRY CODE

US

INTERSECTION STREET 1

MARTIN LUTHER KING DR

INTERSECTION STREET 2

ARMSTRONG AVE

LOCATION CATEGORY

Street

DISTRICT

South

PUBLIC / PRIVATE

Public

## VICTIMS-1

VICTIMS-1 NAME

V-1 STATE OF NJ

ORGANIZATION TYPE

Government

ORGANIZATION INDUSTRY

Law Enforcement

REPORTING OFFICER SIGNATURE / DATE

JEISON MARTINEZ #3024 Apr 14, 2019 18:58 (e-signature)

PRINT NAME

JEISON MARTINEZ #3024

SUPERVISOR SIGNATURE / DATE

DWAYNE DOWELL #8254 Apr 14, 2019 19:02 (e-signature)

PRINT NAME

DWAYNE DOWELL #8254